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PATENT  
Attorney Docket 054160-5015-02

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Toshikazu Hamamoto et al.** ) Confirmation No. **4718**  
 )  
Application No. **10/731,633** ) Group Art Unit: **1745**  
 )  
Filed: **December 9, 2003** ) Examiner: **Tracy Mae Dove**  
 )  
For: **Non-Aqueous Electrolyte and Lithium** ) Date: **June 26, 2006**  
Secondary Battery Using the Same )

U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop Amendment  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

### TRANSMITTAL FORM

1. Transmitted herewith is an Amendment and Response Under 37 C.F.R. § 1.111 in response to the non-final Office Action dated January 25, 2006.
2. Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. This request is being filed under the next business day rule on Monday, June 26, 2006 as the due date for responding fell on a Sunday (June 25, 2006). Applicants petition for a two-month extension of time from April 25, 2006 to June 25, 2006, the fee for which is \$450.00 as set out in 37 C.F.R. 1.17(a). The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. 1.16 and 1.17; or credit any overpayment to Deposit Account 50-0310.
3. Fee Calculation (37 C.F.R. 1.16):

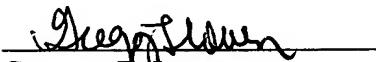
CLAIMS AS AMENDED						
	Remaining		Previously Paid	Extra	Rate	Total Fees
Total Claims	6	minus	20	0	\$50.00 each=	0.00
Independent Claims	1	minus	3	0	\$200.00 each=	0.00
First presentation of Multiple dependent claim					\$360.00	0.00
<u>Sub-total =</u>						0.00
<u>Reduction by ½ for filing by a small entity</u>						0.00
<u>Total Fee =</u>						\$0.00

4. Fee Payment: The Commissioner is hereby authorized to charge \$450.00 to Deposit Account No. 50-0310 for payment of the two-month extension of time fee.

5. **Constructive Petition:** Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **June 26, 2006**  
Morgan, Lewis & Bockius LLP  
Customer No. **09629**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
202-739-3000

Respectfully submitted,  
**Morgan, Lewis & Bockius LLP**

  
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